

Response to Official Action
Application No. 10/662,759
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Amendments to the Drawings:

No amendments are made to the Drawings herein.

REMARKS

By the foregoing Amendment, Claim 1 is amended. Entry of the Amendment, and favorable consideration thereof, is earnestly requested. Applicant respectfully submits that the above Amendment after final rejection is proper as it merely clarifies one of the requirements already present in Claim 1. As such, no further searching or substantive examination is necessary.

Claims 1-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by LeMarie, III et al. (U.S. Patent No. 5,366,477). Applicant respectfully asks the Examiner to reconsider this rejection in view of the above Amendment and the below Remarks.

The present invention is directed to an instrument including a tool mounted on the distal end of a shaft which can be detachably secured on an activation rod by means of a tool shaft. This detachable connection is achieved by providing the tool shaft and the activation rod with protuberances and/or recesses, which can be joined in a form-locking connection, at least partially with corresponding recesses or protuberances of the other respective component. The connection is unique in that the corresponding recesses and protuberances are configured in such a way that the tool and the activation rod can be brought into engagement with one another by means of a movement exclusively in one direction essentially perpendicular to the longitudinal axis of the activation rod, and the components coupled to one another are fixed relative to one another in the other directions. Claim 1 has been amended to further highlight this requirement by specifying: (i) that the tool and the activation rod can be brought into engagement with one another by means of a movement exclusively in one direction essentially perpendicular to the longitudinal axis of the activation rod, and (ii) that the

components coupled to one another are nonmovably fixed relative to one another in all directions other than the one direction essentially perpendicular to the longitudinal axis of the activation rod. Thus, the components coupled to one another can be moved with respect to one another only in one direction (i.e., the one direction essentially perpendicular to the longitudinal axis of the activation rod via which the components can be brought into engagement).

LeMarie, III et al. discloses a medical instrument with a shaft, a handle mounted on the proximal end of the shaft, and a tool mounted on the distal end of the shaft. For activating the tool via the handle, both components are connected to one another by means of an activation rod. Furthermore, the tool can be secured detachably on the activation rod by means of a tool shaft, for which purpose the tool shaft and the activation rod have protuberances and/or recesses that can be joined in a form-locking connection, at least partially with corresponding recesses or protuberances of the other respective component.

In LeMarie, III et al., however, there is no disclosure, teaching or suggestion that the recesses and protuberances corresponding to one another are configured in such a way that the tool and the activation rod can be brought into engagement with one another by means of a movement exclusively in a direction essentially perpendicular to the longitudinal axis of the activation rod. Figure 12 and the respective description in column 9 (lines 39-42) discloses that the shown link assembly is assembled and disassembled in a bayonet-type fashion by sloping and twisting a cavity of the tool shaft so that the activation rod, must be rotated ninety degrees during insertion and removal. LeMarie, III et al. explicitly states:

The link assembly 240 is assembled and disassembled in a bayonet-type fashion: a cavity 244 is sloped and twisted so that the actuator 248 must be rotated ninety degrees during insertion and removal.

(emphasis added). Thus, LeMarie, III et al. explicitly teaches that the actuator can, and in fact must, be rotated ninety degrees during insertion and removal (which is necessary for a bayonet connection to be created in the first place). However, this is directly contrary to Claim 1 of the present invention which requires that the components can be moved with respect to one another only in one direction (i.e., the one direction essentially perpendicular to the longitudinal axis of the activation rod via which the components can be brought into engagement).

For the foregoing reasons, Applicant respectfully submits that all pending claims, namely Claims 1-9, are patentable over the references of record, and earnestly solicits allowance of the same.

Respectfully submitted,



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